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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/011,852	12/04/2001	David M. Smart	1935-1-3	5227
996	7590	08/06/2004	EXAMINER	
GRAYBEAL, JACKSON, HALEY LLP 155 - 108TH AVENUE NE SUITE 350 BELLEVUE, WA 98004-5901			MORRISON, NASCHICA SANDERS	
			ART UNIT	PAPER NUMBER
			3632	

DATE MAILED: 08/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Interview Summary

Application No.

10/011,852

Applicant(s)

SMART, DAVID M.

Examiner

Naschica S Morrison

Art Unit

3632



All participants (applicant, applicant's representative, PTO personnel):

(1) Naschica S Morrison.

(3) _____.

(2) John Janeway.

(4) _____.

Date of Interview: 7/14/04 & 7/20/04.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: _____.

Claim(s) discussed: 1.

Identification of prior art discussed: Gray '021; US 4062372 to Slusher.

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. / h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: On 7/14/04, Applicant argued that the legs (34) of Gray did not meet the limitation of claim 1 because the legs would not support the entire support (i.e. they would not support the arms). Examiner stated she would discuss the claim and current arguments with a primary examiner (K. Chan) before agreeing or disagreeing. Examiner also clarified that the applicant's arguments (set forth in response filed 3/22/04) regarding the biasing member were not persuasive because the arguments were not directed to the legs (members 34 instead of members 12) set forth in the examiner's rejection. On 7/20/04, Examiner advised applicant that the arguments were persuasive to overcome the rejection of claim 1 in view of Gray; however examiner stated that claim 1 would not be allowable as it read at least on previously cited US 4062372 to Slusher. Examiner and applicant discussed how Slusher could be used to reject at least claim 1. .